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FILED
CLERK'S OFFICE

Kimberly M. Saillant
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NOV 29 P 3:15

November 23, 2004

U.S. DISTRICT COURT
DISTRICT OF MASS.

BY HAND DELIVERY

Thomas Quinn, Courtroom Clerk to the Honorable Magistrate Dien
U.S. Courthouse
1 Courthouse Way
Boston, MA 02210

Re: *Town of Canton*
v. *Select Energy, Inc.*
U.S. District Court Docket No.: 04-CV-11383-RGS

Dear Mr. Quinn:

In reference to the above-entitled matter, I recently received a Notice of ADR Mediation Conference regarding this matter, which is scheduled for December 20, 2004 at 10:00 a.m. However, I have a trial scheduled for December 20, 2004 at 9:00 a.m.; in that regard, see a copy of the Superior Court Notice of Docket Entry attached hereto. Due to this scheduling conflict, I write to inquire whether it will be necessary to file a motion to move the mediation date to sometime in January 2005 or February 2005? In that regard, I am meeting with the defendant's attorney on December 3, 2004 to discuss settlement and can reach a mutually agreeable rescheduling date with him at that time. Thank you for your courtesy and cooperation. I look forward to hearing from you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Kimberly M. Saillant', written over a horizontal line.

Kimberly M. Saillant

KMS:ac

cc: Clerk's Office, U.S. District Court
Timothy W. Mungovan
William T. Friel, Executive Secretary
John J. Connolly, Chairman Board of Selectmen
Paul R. DeRensis

DWLIB 171387v1
8800/08

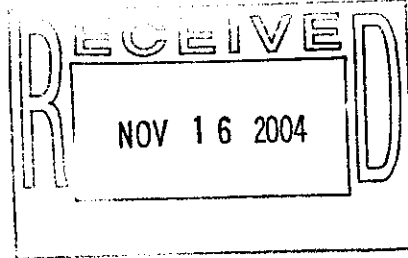
Commonwealth of Massachusetts

**County of Norfolk
The Superior Court**

CIVIL DOCKET#: **NOCV2003-01952-B**

RE: Cutler et al v Randolph Board of Selectmen et al

TO: Kimberly M Saillant, Esquire
Deutsch Williams Brooks DeRensis et al
99 Summer Street
Boston, MA 02110



NOTICE OF DOCKET ENTRY

You are hereby notified that on 11/12/2004 the following entry was made on the above referenced docket:

Pre-trial ORDER: After a Pre Trial Conference on November 3, 2004 before the Honorable Barbara Dortch-Okara, the Court ORDERS: A Joint pre trial memo shall be filed by November 17, 2004; Trial without jury is set for December 20, 2004 at 9:00 A.M. (Dortch-Okara, J) (Dated 11/3/04)

Dated at Dedham, Massachusetts this 12th day of November, 2004.

Walter F. Timilty,
Clerk of the Courts

BY:
Assistant Clerk

Telephone: (781) 326-1600

Kimberly M. Saillant

From: ECFnotice@mad.uscourts.gov
Sent: Friday, November 19, 2004 2:51 PM
To: CourtCopy@mad.uscourts.gov
Subject: Activity in Case 1:04-cv-11383-RGS Town of Canton v. Select Energy, Incorporated "Notice of ADR Conference"

NOTE TO PUBLIC ACCESS USERS You may view the filed documents once without charge. To avoid later charges, download a copy of each document during this first viewing.
<!-- rcsid='\\$Header: /ecf/district/html/TextHead,v 3.1 2003-04-25 07:56:43-04 loy Exp \\\\$' -->

United States District Court
District of Massachusetts

Notice of Electronic Filing

The following transaction was entered on 11/19/2004 at 2:50 PM EST and filed on 11/19/2004

#ident 'rcsid='\\$Header: /ecf/district/server/TextBody,v 3.1 2003-04-25 07:52:35-04 loy Exp \\\\$'

Case Name: Town of Canton v. Select Energy, Incorporated

Case Number: 1:04-cv-11383 <https://ecf.mad.uscourts.gov/cgi-bin/DktRpt.pl?92883>

Document Number: 12

Copy the URL address from the line below into the location bar of your Web browser to view the document: https://ecf.mad.uscourts.gov/cgi-bin/show_case_doc?12,92883,,84624537,

Docket Text:

NOTICE of and ORDER regarding ADR Conference: Mediation set for 12/20/2004 10:00 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne)

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: yes

Electronic document Stamp:

[STAMP dcecfStamp_ID=1029851931 [Date=11/19/2004] [FileNumber=752333-0]

[23323532f49425bd19232261df17bb9c683b72e3fabe6a62aaa39feld3b4c7004b64751147a3fbb5ced55e99d8d50ca50decdb1b9a8e517ec4224733fa425bc23]]

<!-- rcsid='\\$Header: /ecf/district/server/TextAtyList,v 3.2 2003-06-02 17:37:56-04 bibeau Exp \\\\$' -->

1:04-cv-11383 Notice will be electronically mailed to:

Paul R. DeRensis

pderensis@aol.com

Timothy W. Mungovan

tmungovan@nixonpeabody.com

Kimberly M. Saillant

ksaillant@dwbboston.com

1:04-cv-11383 Notice will not be electronically mailed to: